

MSD Claim

**METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI
WATER-IN-BASEMENT (WIB) CLAIM FORM**

Please fill out this form if you believe that you have suffered damage to your home or belongings because of a sewer backup in your home caused by a problem with the public sewer system operated by the Metropolitan Sewer District of Greater Cincinnati ("MSD").

What kind of damage can I be reimbursed for?

- The reasonable value of any property lost or destroyed in the backup; and
- The cost of restoring your basement or other structural damage to your home; or
- The documented reduced value of your real property at the time of sale of the property as a result of permanent impairment of the property due to public sewer capacity issues.

How to Make a Claim

- Complete the claim form
- Submit the form to:
City of Cincinnati Law Department
Cincinnati City Hall, Room 214
Re: MSD/WIB
801 Plum Street
Cincinnati, Ohio 45202
- Cooperate with the City and Metropolitan Sewer District (MSD) investigation, if the investigation has not already been conducted.

Claim Investigation

- If it has not already done so, MSD will determine whether your backup was caused by a problem in the public sewer system.
- In conducting such investigations, MSD will use good faith and reasonable engineering judgment
- If inadequate sewer capacity has caused a basement backup the last two years and MSD has not fixed the capacity problem, MSD will accept responsibility for the backup without additional investigation.

Other Things you should know

- Ohio law requires you to collect first from your homeowner insurance
- ~~The City will pay the difference between what your insurance coverage pays and your total loss.~~
- Prior to processing and paying any claims, the City must have information regarding your insurance policy and any insurance claims that you have made.

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Decisions & Questions

- The City of Cincinnati will send you a written decision within 60 days of receiving your claim.
- To check the status of your claim, call the MSD Customer Service Line at (513) 244-5100.
- If you are not satisfied with the decision you can contact the Court Appointed Ombudsman Legal Aid Society of Greater Cincinnati at 362-2801.

Appeals

If you disagree with the City's decision on your claim you may be able to file a case in court.

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GENERAL INFORMATION. *To be completed by claimant.*

Name of Claimant:

Stefanie Mueller

Address of WIB:

3153 Mayridge Ct

City, Village or Township

Cincinnati OH

Zip Code: 45211

Unit #, if applicable

1

Day time phone number: (513) 503-5470

Type of property:
(check one)

Single Family Residence

X

Multi-Family Residence (# of Units: 6) Apartment units

Business

When did this WIB occurrence begin: 6/2/07

Did you report this WIB incident to MSD?

X Yes No

If you reported this WIB incident, when did you report it?

6/4/2007

Number of times you have had WIB incidents in the past 0

Approximate dates of those incidents

Did a plumber or other qualified professional determine the cause of the back-up? If so, please provide a copy of a report from the plumber or other qualified professional setting out the basis for his/her conclusion. Please summarize that conclusion below.

None known of. Please contact leasing office for
that information. MSD Came to Scene

DAMAGES INFORMATION. *To be completed by claimant*

- (1) Is your basement: Apartment ☐ Unfinished
☐ Partly Finished
☒ Completely Finished
- (2) If your basement was partially or completely finished, please indicate the square footage of finished square feet call leasing office finished sq. ft. unfinished sq. ft.
- (3) Please indicate the type of floor covering that was in your basement prior to the WIB:
☐ Bare floors ☒ Living room / bedroom Carpeting ☒ Kitchen / bathroom Tile / linoleum
- (4) Please indicate what your basement is used for:
☐ Storage ☐ Bathroom ☐ Study / den
☐ Laundry ☐ Bedroom ☐ Family Room
☐ Workbench Bar
☒ Other (please specify) Apartment
- (5) Please attach an inventory of damaged property, using the attached instructions.
- (6) Do you believe that the WIB incident caused any structural damage to the premises? If so, please provide a report from a structural engineer or other qualified professional describing the damage, its causes and proposed remedies for it. Please summarize that information below.

unknown - Contact leasing office

(7) **Diminution in Value:** Did you sell or have you tried to sell the property since the WIB? Do you believe that you received or were offered less than the full value because of the WIB incident? If so, please provide a report from an appraiser or other qualified professional quantifying the reduction in value attributable to the property's WIB status. Please also include any sale contracts or offers, as well as any declarations, documents or other evidence the you believe supports your claim.

NA (Apartment - leasing)

Additional Diminution in Value Claim Questions:

Have you applied for MSD's WIB Prevention Program? If so, what was the result of your application? If not, why not?

NA (Apartment - leasing)

In connection with the WIB situation that has given rise to your diminution in value claim, have you undertaken any other mitigation measures? If so, please describe below and attached any reports from engineers or other qualified professionals documenting the mitigation measures.

NA (" ")

INSURANCE INFORMATION. To be completed by all claimants.

Do you have an insurance policy on the property that has experienced the WIB? _____

☒ Yes

Rehters Insurance - Flood is not covered ☐ No

If you have insurance on the property, please provide the following information:

The name of your insurance carrier State Farm Insurance

Your policy number: 35-QF-0193-8

The amount of your deductible \$500.00

Please attach a copy of your policy's Declarations Sheet and / or a letter from your carrier indicating that these damages are not covered.

Losses not insured - Section 1 page 9

Claim Filed
35H203323

Adjuster Denied Claim

OTHER POTENTIAL CLAIMANTS.

We request this information in order to identify any other persons who may have claims for damages as the result of the WIB. Please complete any applicable section.

- (A) **RENTERS.** If you rent the property that experienced the WIB, please provide the following information about your landlord:

Name: E A Zicka (owner) Cornerstone Realtor (manager)
 Address: unknown
 City: Cincinnati State: OH
 Phone Number: (513) 347-3856

- (B) **LANDLORDS:** If you own the property that experienced the WIB:

(1) Please provide the following information about each tenant, co-owners, land contract holders whom you believe may have incurred damage to personal property as a result of the WIB (attach a separate sheet of paper if necessary):

Name: _____
 Address: _____
 Telephone Number: _____ Unit #: _____

- (2) Please provide the following information:

Is the property held in the name of a corporation, partnership, _____ Yes
 or other entity, rather than by individuals? _____ No

If yes, provide the name of the entity that owns the property?

- (3) Please provide the following information about how we can contact you:

Address: _____
 City: _____ State: _____
 Phone Number(s): _____

VERIFICATION: To be completed by all claimants.

I hereby certify that the information provided on this form, as well as the information contained on my inventory of damaged property, is true and accurate to the best of my knowledge.

Stefano A Mueller
Signature of Claimant

6/7/07
Date

FOR OFFICIAL USE: To be completed by MSD and / or City Claims Personnel.

Form received in Claims Section on _____ by _____

Acknowledgment letter sent to claimant on _____ by _____ (copy file)

Internal Claims Determination Form sent to MSD on _____
received back in Claims Section on _____
follow up calls made _____

Further information requested from MSD? ☐ Yes ☐ No

Date of request: _____ Mode: ☐ Email ☐ Memo ☐ Oral
(copy file)

Type of info requested: _____

Response to request rec'd on: _____

Further information requested from MSD? ☐ Yes ☐ No

Date of request: _____

Type of info requested: _____

Response to request rec'd on: _____

Determination: _____ Approved (Amount _____)
(Letter w/release sent on: _____)
(Signed release rec'd on: _____)
(Payment sent on: _____)
_____ Denied (Letter sent on: _____)

Additional Notes or Comments:

**Instructions for Providing
Inventory of Damaged Property**

If the sewage backup in your basement was the result of negligence on the part of the Metropolitan Sewer District of Greater Cincinnati ("MSD"), MSD and the City of Cincinnati want to see that you are compensated fairly and in accordance with the law for any property damage that may have resulted.

If MSD was negligent, the Claims Section of the City of Cincinnati's Law Department will attempt to settle your claim by offering you a reasonable sum of money. The amount of money the Claims Section offers you will be based on your documented damages. For that reason, it is to your benefit to carefully follow these instructions and to respond to any additional requests from the Claims Section for information about your damages.

Instructions

On a separate sheet of paper, make a list of all the items for which you are claiming damages as the result of the Will. Your list should also include:

For every ELECTRONIC DEVICE or APPLIANCE (e.g., washer, lamp, television):

- Manufacturer
- Model Number, if available
- Approximate Age
- Cost when purchased
- A description of the damage the item sustained in the flood
- Whether the item is still useable
- Receipt, if available
- Picture of the item

For every piece of FURNITURE (e.g., couch, chair, etc.)

- Appropriate descriptive information (e.g., size, type of fabric, etc.) . Approximate Age
- Cost when purchased
- A description of the damage the item sustained in the flood
- Whether the item is still useable
- Receipt, if available
- Picture of the item

For every other item,

- Appropriate descriptive information Approximate age
- Cost when purchased
- A description of the damage the item sustained . Whether the item is still useable
- Receipt, if available
- Picture

For damage to REAL PROPERTY (if part of your home was damaged by the backup)

- Age of your home or addition damaged
- Describe the damage
- Estimated cost of repair (or receipt if repair already completed)
- Pictures of the damage
- Report of engineer, appraiser or other qualified professional documenting that the described damage is the result of WIB incidents

If you have any questions or need additional information on filing your claim call the City Solicitor's Office, Claims Section at 352-4518.

Mail all claims to:

City Solicitor
City of Cincinnati City Hall Room 214
Re: MSDIWIB
801 Plum Street
Cincinnati, Ohio 452

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